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• (1830)

[English]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good evening, everyone. I call the meeting to order.

It's great to see so many colleagues together on a Tuesday evening.

Welcome to meeting number 78 of the Standing Committee on Procedure and House Affairs.

The committee is meeting today to study the question of privilege related to the campaign against the member for Wellington—Halton Hills and other members.

We have with us today Mr. Wesley Wark, senior fellow at the Centre for International Governance Innovation. He's based in the Waterloo region, in the city of Waterloo, for which I am a proud member of Parliament, so full disclosure.

We also have with us Thomas Juneau, associate professor at the graduate school of public and international affairs at the University of Ottawa.

You will each have five minutes for an opening statement, which I understand has been shared with the interpreters, and then we will proceed to questions from the committee members.

I would like to remind all members and witnesses that care must be taken with regard to the earpieces for interpretation. Please be mindful to not place your earpiece near the microphone, as this can result in a feedback loop, which may cause an acoustic shock and could, in turn, cause injury to the interpreters. Your earpiece is attached to the device in front of you. Do not put it in near the microphone, but keep it away, just to ensure that we minimize risks to the individuals who are helping us operate in both official languages.

With that, Mr. Wark, the floor is yours. Welcome to the procedure and House affairs committee.

Dr. Wesley Wark (Senior Fellow, Centre for International Governance Innovation, As an Individual): Madam Chair and members of the committee, thank you for this invitation to appear.

In this brief opening statement, I want to address three issues. To begin, I want to support the call by member of Parliament Michael Chong for change to strengthen the Canadian national security and intelligence system. That call has been echoed in the first report from the special rapporteur David Johnston, who described the mis-handling of intelligence with regard to known threats to Mr. Chong as “certainly the most prominent, but not the only, example of poor

information flow and processing between agencies, the public service and Ministers.”

Mr. Johnston's analysis, as you know, will be open to critique by those who are able to read his classified annex, including the review bodies. This issue will also be taken up in the public hearings that Mr. Johnston has planned, which I regard as an important opportunity to come up with fresh ideas for reforming Canadian intelligence.

As we consider necessary changes to the machinery of government to ensure better intelligence flows, we must also look more broadly to the performance of what is often called the intelligence cycle, which includes intelligence collection, analysis, and reporting. Improving the machinery of government alone will not fix deficiencies in this broader intelligence cycle, or produce change to what is often referred to as a deficient culture of intelligence in the federal government.

Second, Mr. Chong, in his testimony before this committee, spoke of action taken by the British security service, MI5, in 2022 to alert the U.K. Parliament to the activities of a British lawyer of Chinese descent, named Christine Lee, who was identified by MI5 as a Chinese agent of influence. Such actions by British intelligence are extremely rare.

CSIS has available powers under statute, known as threat reduction measures, to use against identified actors engaged in foreign interference, and can deploy such measures even against the so-called sensitive sectors, including the political arena, long identified in CSIS policy. However, any threat of using threat reduction measures to publicly name and shame individuals, while potentially effective, must be guarded against abuse. We only have to recall the infamous case of a highly respected Canadian diplomat, E. Herbert Norman, who was driven to commit suicide by a relentless McCarthy ad campaign against him that falsely accused him of being a Communist agent of influence.

Third, I want to draw your attention to the ministerial directive issued on May 16 by the public safety minister in response to the Michael Chong case. That directive emphasizes the need for CSIS to “investigate all threats to the security of Canada that target Parliament and parliamentarians” and to ensure, whenever possible, that parliamentarians are informed about such threats directly. It also requires that CSIS inform the Minister of Public Safety about such threats “in a timely manner”.

While this is an appropriate expression of ministerial accountability, I want to register a hypothetical concern about the potential politicization of intelligence if a minister in any future government gets too drawn into a decision-making role in such matters. At the political level, it would also be important to ensure that the Prime Minister is similarly apprised of any such threat reporting, even if this is not spelled out explicitly in the ministerial directive. At the senior public service level, a dual key system, with the second key being held by the national security and intelligence adviser, might be worth considering.

I have a final note on intelligence challenges in terms of dealing with foreign interference, which I think is not well captured in most media reporting. Intelligence has to understand threat actor intentions, capabilities, and opportunities. These are all distinct elements, and intentions—which can be captured, for example, in communications among Chinese consular officials—do not always translate into capabilities on the ground. Monitoring opportunities for interference operations is also important for timely intelligence. Without timely intelligence, the effort is wasted.

Thank you for this opportunity. I welcome any questions.

• (1835)

The Chair: Thank you, Professor Wark.

Professor Juneau, welcome to PROC. You have the floor.

Dr. Thomas Juneau (Associate Professor, Graduate School of Public and International Affairs, University of Ottawa, As an Individual): Thank you.

I'm happy to be back to talk to the committee again. Last time I was here, three weeks ago, my focus was on how transparency should be better used as a tool to counter foreign interference. Today I want to continue in the same direction and focus on other reforms to the intelligence community that could help better counter foreign interference. I want to address issues directly related to what happened to Mr. Chong and, more broadly, to some of the structural problems in the national security apparatus as highlighted in David Johnston's first report.

My recommendations are broadly based on two sources. The first is a book I co-authored recently with Professor Stephanie Carvin from Carleton on intelligence policy dynamics in Canada. This book was based on 70 interviews with officials in the national security world. The second is a report I co-authored with Vincent Rigby, a former national security and intelligence adviser to the PM, with the support of a task force of a dozen retired senior officials, including CSIS directors, other NSIAs and deputy ministers.

My first recommendation is for the creation of a cabinet committee on national security. We need sustained attention at the political

level on national security issues. This is essential to approach national security issues in a more proactive and strategic way. The current system encourages a much more ad hoc and reactive approach.

A national security committee of cabinet would need stronger bureaucratic support. That can only come through a stronger national security and intelligence adviser position. More generally, I think the national security committee suffers from a lack of coordination. To be clear, this is not about individuals in specific positions. It is the architecture of the system that encourages silos and prevents stronger coordination from the centre.

I would add that the policy capacity in Public Safety Canada, which also plays an important coordination role, is still too weak. If you look at the main threats that Canada faces today, including foreign interference, they all have to be countered by not just a whole-of-government effort but also a whole-of-society effort. This cannot be done optimally without stronger coordination.

One weakness in the community that has been glaring through recent events is that our intelligence community suffers from weak policy literacy, and the policy side suffers from weak intelligence literacy, though I would say that there have been significant improvements in recent years. This means that the intelligence community is often poorly positioned to provide optimal support to policy and political clients because of its poor understanding of their work. The culture in the intelligence community is still too insular, too closed and too resistant to change. The reverse is also true. Consumers of intelligence in policy, in the bureaucracy but also in politics, are not optimally positioned to ask for the right intelligence support, as we've seen very clearly in recent weeks, and then to know how to use it as part of their work.

It's hard to build better intelligence and policy literacy, but we could do some things better, such as better training. Training in the intelligence community is often mediocre. There is very little measurement of how the money is actually spent. We need secondments and exchanges. We need far more staff movement between the policy and intelligence worlds to help break silos and foster mutual understanding. As I said three weeks ago, there is also an epidemic of overclassification. That remains a major obstacle to information sharing between clients and the intelligence world.

Another major problem is human resources. There are major challenges in the national security community on recruitment, retention, morale and career paths. Security clearances face massive backlogs. These are complicated, frustrating issues to deal with, but the longer they are neglected, the worse the situation gets. If we don't get the human capital foundation right, we will not be able to allow the reforms that we're proposing to succeed.

Finally, there is a glaring need for a comprehensive national security review in this country. This is an exercise that is labour-intensive and bureaucratically very painful, but we have not had one since 2004. It is useful as a brainstorming exercise to consider and develop options and to answer difficult questions about threats we face, about tools, about governance and about human resources. It signals to our allies that we take national security seriously, which is a signal that we badly need to send right now.

To conclude, what may be most important is a point that is often neglected in Ottawa. It would signal to Canadians that national security matters, help raise awareness and provoke a more informed debate.

Thank you.

• (1840)

[*Translation*]

The Chair: Thank you very much.

We're going to go to six-minute rounds. Mr. Berthold will have the floor first, and he will be followed by Mr. Fergus, Ms. Normandin and Ms. Blaney. As always, I remind you that comments are to be addressed to the chair. Also as always, because we have two official languages, we will take the time to speak slowly so everyone can understand what we say today.

Mr. Berthold, the floor is yours.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you, Madam Chair.

Mr. Juneau and Mr. Wark, thank you for being here today.

Mr. Juneau, I'd just like to go back to one point.

You mentioned security clearance backlogs. What do you know about current backlogs and what they imply?

• (1845)

Dr. Thomas Juneau: I simply can't answer that question accurately because the information you're looking for isn't public. So I can't give you any figures.

However, I can tell you that, based on the research I've done, my experience as a National Defence official and the information passed on to me by my students at the University of Ottawa seeking permanent government positions and student summer jobs, which is the case for most of them, there are very long backlogs for top secret security clearances.

However, those clearances are necessary for most jobs in the sector we're considering. Waiting times are more than one year, even two years or more in many cases. This is causing major problems for morale and personnel retention.

Consider, for example, a very talented young individual who wants to join the intelligence community and who gets a job after going through a process, which, in some instances, is very long as well, involving psychological tests, among other things. If that individual is told that he or she will have to wait an additional 6 to 12 months for a security screening to be completed, that individual may not have the patience to wait all that time and might feel frustrated.

This kind of waiting time is causing an enormous problem, one that has been known for a number of years now.

Mr. Luc Berthold: I understand, Mr. Juneau. Thank you.

I just wanted to know if you had some figures to pass on to us because the committee doesn't have any either. It will probably ask the question, which is a good one.

The Johnston report has been released since you last appeared before the committee. One of its recommendations is that no public inquiry be held because that kind of inquiry can't be conducted without compromising national security.

Do you agree with Mr. Johnston?

Dr. Thomas Juneau: I partly agree with him.

I think a public inquiry would have been possible, even though it would've had to be conducted mostly in camera. There are precedents for these kinds of inquiries, however. For example, the Public Order Emergency Commission chaired by Judge Paul Rouleau was partly held that way and the Arar Commission extensively so.

In this case, perhaps it could have been conducted more in camera because the information was extremely sensitive, although findings could have been published after the fact.

In my opinion, the more relevant argument for not holding a public inquiry is that it wouldn't have added any substantial value, given all the processes under way, such as the proceedings of this committee and those of the National Security and Intelligence Committee of Parliamentarians and the National Security and Intelligence Review Agency.

My assessment is ultimately somewhat different from that of Mr. Johnston. I think it would've added limited value.

Mr. Luc Berthold: So the public hearings that Mr. Johnston anticipates holding would also be—

Dr. Thomas Juneau: I think they may be helpful.

Mr. Luc Berthold: How will they be different from the hearings conducted by the House of Commons Standing Committee on Procedure and House Affairs?

Dr. Thomas Juneau: First, they'll be conducted in a less politicized setting since they won't be held by elected politicians. And, second, they'll generate debate.

But will they have a major impact? I don't think so.

Mr. Luc Berthold: What was your reaction, as an intelligence expert, when we learned that the intelligence services were passing on intelligence that then disappeared down a black hole and that the people who were supposed to get that intelligence didn't seem to want to receive it? No one was troubled at not having access to the emails the intelligence service had sent.

Isn't that clear evidence of incompetence?

Dr. Thomas Juneau: I would use the word "imperfection" rather than "incompetence". The word "incompetence" applies to persons. I don't think those persons were necessarily incompetent.

The system isn't yet perfect. In the book I co-wrote with Prof. Stephanie Carvin, we extensively explored these issues and interviewed a lot of people. Senior officials and politicians actually aren't very interested in intelligence issues, which is a problem.

Mr. Luc Berthold: That's serious.

We can provide intelligence services with every possible resource, but it will all be in vain if a piece of intelligence disappears down a black hole and no one knows about it. Incidentally, it can't be denied that politicians are elected by the people—

Dr. Thomas Juneau: Absolutely.

Mr. Luc Berthold: We're here. We have a major role to play, and partisanship, as you called it, is nevertheless a healthy thing in a democracy, as a result of which—

Dr. Thomas Juneau: Absolutely, and that's why I think your work is necessary.

Mr. Luc Berthold: That's it.

I also think that holding hearings as we're doing in this committee is also absolutely necessary—

Dr. Thomas Juneau: It's very useful.

Mr. Luc Berthold: But I digress. So I'll go back to my question.

After all these years and all the studies you've done, how is it that we're still in a situation where a minister receives intelligence without being able to access it and that seems to be normal?

As far as I know, no inquiry has been commissioned to determine what's happened.

Dr. Thomas Juneau: Our research with Prof. Carvin has clearly shown that senior officials and politicians have limited interest in national security issues.

I think it's appropriate to note that there has been progress. The system works better now than it did 10 or 20 years ago. So we've seen a progressive trend, but one that started at a very low level and really hasn't risen to the level where it should be.

• (1850)

Mr. Luc Berthold: I understand.

We're discussing Mr. Chong, but we also heard from Mr. O'Toole in the House of Commons this afternoon. He virtually corroborated Sam Cooper's initial article on the influence and efforts orchestrated by the Beijing regime to influence the electoral system. For the first time, we heard an MP testify that the Canadian Security Intelli-

gence Service had informed him that he had been targeted by a systematic voter suppression campaign.

Don't you think that monitoring, analysis and observation have to accompany action? But there hasn't been a lot of that to date.

Dr. Thomas Juneau: Yes.

Mr. Luc Berthold: Time's running short. We'll come back to this and discuss specific measures that should be taken.

The Chair: That was a very specific answer. Thank you, Mr. Juneau.

Go ahead, Mr. Fergus.

Hon. Greg Fergus (Hull—Aylmer, Lib.): Thanks very much, Madam Chair.

I'd also like to thank both witnesses.

I've had the pleasure of reading the work of both these witnesses and—

The Chair: Just a minute.

We will suspend. I'm told the interpretation isn't working, so I'll keep speaking French.

[*English*]

Ms. Ruby Sahota (Brampton North, Lib.): Now it is, Madam Chair.

[*Translation*]

The Chair: The interpretation is working now.

We will resume, Mr. Fergus. The floor is yours.

Hon. Greg Fergus: Thank you very much, Madam Chair.

I hope the interpretation is working smoothly.

Madam Chair, I was saying that I had read the work of Mr. Juneau and Mr. Wark, who are obviously experts.

Mr. Juneau, this past March, and once again this evening, you said that Canada had already taken a number of steps to counter foreign interference, but you think we could do more.

Would you please briefly tell us where we started, where we are now and what we need to do to address political interference in future?

Dr. Thomas Juneau: First of all, I believe that Canada is taking action against foreign interference. I hear public comments, including those from certain witnesses who have appeared before this committee in recent weeks, to the effect that Canada has done nothing. I don't think that's true of either the present or previous governments, although Canada should absolutely do much more.

What else should we do? First of all, there are all the recommendations that I made in my presentation, but there are others I could mention. First, there could be a foreign agent registry. We discussed this when I appeared before you the last time, and others have discussed this with you as well. That should've been done a long time ago. Considering where we are today, we should move forward on this, although cautiously so we don't go too quickly.

Lastly, I would add that we need to discuss this at greater length publicly, generally, whether in the context of this committee's proceedings, as we said earlier, or in other fora. That's not a particularly original idea, but I've seen, in various research projects over the years, that the Canadian government acts reactively in national security matters. It acts when it's under pressure, both public and political pressure, but not when it's under pressure from a national security threat. The political pressure is on right now, and we've seen it take tiny steps in such circumstances in the past. I think we'll see progress over the next year, but it will have to be evaluated.

Hon. Greg Fergus: Mr. Juneau, you've discussed political interference more broadly, and I very much appreciate that. Debate often focuses on the issue of China. If my understanding is correct, you're also an expert on Iran. Iran has often been cited as another major player in foreign interference.

Would you please say a few words on the role Iran plays or on Iran's modus operandi with respect to foreign interference? How is it different from China's?

• (1855)

Dr. Thomas Juneau: I'm glad you asked that question. Many experts have expressed fears in recent weeks—that's definitely true in my case—that the debate has focused too closely on China. China, of course, is the main source of foreign interference; it's the most significant threat, but it isn't the only one.

There are also Iran, Russia and countries we typically consider friends, such as Turkey, a NATO ally, which is engaged in large-scale foreign interference in Canada. Saudi Arabia, with which we reconciled last week, exerts pressure on Saudi dissidents in Canada, for example. It isn't just China, and the problem doesn't stem solely from our adversaries.

In the case of Iran, the main form of interference that concerns me—and it isn't the only one—is what I call “transnational repression”, by which I mean repression outside its borders. We see the Iranian regime exercising pressure through cyberspace, sometimes via loyal individuals on the ground in Canada, to intimidate, threaten and blackmail Iranian Canadian dissidents who advocate for human rights or democracy in Iran. They're subject to often serious threats. In some instances, their families in Iran are also threatened. These persons, many of whom I speak with regularly, say they feel neglected, forgotten and vulnerable, and that the government isn't doing enough for them.

Hon. Greg Fergus: I hope I'll have an opportunity to ask you some more questions, Mr. Juneau, but I also have some questions for Mr. Wark.

[English]

Professor Wark, you wrote in a recent Substack post that you recognized that you wouldn't have a lot of time to make a quick recommendation, but if there was one thing you wanted to leave with this committee, would you please get that on the record for us today?

Dr. Wesley Wark: Thank you, Mr. Fergus.

The one thing that I think is important above all, and a reason why I advocate for public hearings as opposed to a judicial inquiry, is that we face in Canada—and this echoes some of what my col-

league and friend Thomas Juneau had to say—a significant issue of deficiency around what the CSIS director calls “national security literacy”. The public has a very important role to play in responding to and combatting foreign interference, perhaps the most important play of all the actors at work in this. It is vital that we try to raise that level of public understanding and education.

There are all kinds of instruments through which that can be done, including a national security strategy, which, as Professor Juneau has indicated, was last produced in 2004. I think public hearings, with the kind of flexibility they have and given that they are very different from a judicial inquiry, could really advance that conversation.

That would be my one key hope that I would promote.

The Chair: That's excellent. Thank you.

Madame Normandin, go ahead.

[Translation]

Ms. Christine Normandin (Saint-Jean, BQ): Thank you very much.

I want to thank both of our witnesses for being here. I have some open questions, and I invite them to jump right in if they'd like to answer them.

The issue of intelligence culture was raised in the testimony you both gave. I'd like you to discuss it at greater length further to the discussion that took place this morning. You said we were working in a compartmented manner. The intelligence people have the expertise, but they don't really know what's happening on the policy side. Conversely, the policy people don't really know what's going on in intelligence.

Should we provide more guidance for the people we appoint to policy decision-making positions and as advisers to the Prime Minister, for example? Should we require those persons to have specific qualifications?

Dr. Thomas Juneau: The issue regarding poor knowledge of policy issues in the intelligence sector is a major problem, although I believe the situation has somewhat improved. I've seen an improving trend in the research I've conducted, but we aren't at all at the point where we should be. I discussed better training in my presentation because training is a major weak point. I mentioned staff exchanges and secondments because that's also a major weak point.

You mentioned promotion. I didn't bring it up, but it's an area I'm very much interested in. There's a limit to requiring overly specific competencies. If we're too rigid, the system may become too cumbersome.

I made a recommendation in other circumstances that I think might help you, and that was to include more ambitious diversity of experience criteria for lower-level promotions. Many intelligence agencies, such as CSIS, the RCMP and CBSA, have people who rise to the director general, or EX-03, level and even to assistant deputy minister levels, so EX-04 or EX-05, who have never worked elsewhere than in those agencies.

I think that's an enormous problem. These people may have highly advanced technical expertise but no understanding of Ottawa in general.

• (1900)

Ms. Christine Normandin: My question was more about the reverse situation. Should people who are responsible for policy or who advise members of the government, for example, have a clearer understanding of what goes on in the intelligence sector, subject to certain guardrails?

Dr. Thomas Juneau: Absolutely. My argument also applies the other way around.

There are ways to modify criteria for promotions to EX-01 or EX-03 levels in a central agency or a policy-based department, such as Public Safety Canada or Global Affairs Canada, so that the requirement is for three years of experience in intelligence, for example.

Ms. Christine Normandin: Would you like to jump in, Mr. Wark?

[*English*]

Dr. Wesley Wark: I'm delighted with the question.

First of all, to understand the problem of intelligence culture, I think we can put this plainly and simply: A country only has an intelligence culture when its government, those who serve it and the public at large understand that good intelligence is vital for decision-making, and they take it seriously.

As Professor Juneau indicated, that is not the case in Canada. We take it seriously only episodically, and Canada is frankly offside with all our Five Eyes partners. I'd even include New Zealand in that basket, which is not a country we want to necessarily compare ourselves with in terms of national security capabilities and not taking intelligence seriously, not assuming that intelligence has to be part of any policy-making process.

There are many ways, again, that the question of seriousness can be addressed, and some of them have to do with the machinery of government. I think certainly a national security committee of cabinet chaired by the Prime Minister would be one way to get there.

On the national security adviser, just briefly, the national security adviser exercises his or her power through what is often called the power of persuasion. There have been suggestions in the past that this should have some statutory power behind it. I think that's open to argument, but the national security and intelligence adviser office absolutely needs someone with great seniority and great respect across the Government of Canada, and with great knowledge of intelligence and national security. Unfortunately, in Canada, that position has been a bit of a revolving door over the last several

years. Some very good people have occupied the position for not nearly long enough.

In the U.K. model, a similar model in terms of an adviser to cabinet, it's understood that this is the last post that a senior civil servant will occupy. They're beyond influence. They're beyond concern about career progression. They are concerned with the national interest. I think we have to frame the NSIA job in that context.

Certainly I think both Professor Juneau and I agree that the national security and intelligence adviser has to have resources, has to have a staff. It's a skeleton staff in the PCO who assist the national security and intelligence adviser, and it's not surprising in that context that pieces of intelligence can get missed.

There is a broader problem there, because there is a vast flow of intelligence. Let's recognize that. The challenge is making sure that that intelligence is really good and that people understand that it has to be read. I think there's a lot of work that Canada needs to do in that regard.

Thank you.

[*Translation*]

Ms. Christine Normandin: Thank you very much.

Regarding intelligence culture, Mr. Juneau mentioned that the situation had slightly improved in recent years. However, Mr. Wark, you held positions under prime ministers Martin and Harper. Did we have the same problems then? Was the culture different? Has progress been made over time?

[*English*]

Dr. Wesley Wark: Madam Chair, again, it's a very interesting question.

I would just reflect on my own experiences in the crafting of the national security strategy in 2004, providing advice as that strategy was being finalized, and also serving for two terms on what was then created as the Prime Minister's advisory council on national security.

My experience with the national security strategy convinced me that this is an important instrument that government needs to have as a road map for itself, and it is a vital piece of public education, both for the Canadian public and also for our allies, to signal how Canada intends to deal with a range of identifiable national security threats.

I will be brief, Madam Chair. I always thought the idea of a Prime Minister's advisory council on national security was a very interesting experiment that didn't perhaps run as long and as far as it needed to go.

I'll end on those two points.

• (1905)

The Chair: Thank you, Professor Wark.

Ms. Blaney, go ahead.

Ms. Rachel Blaney (North Island—Powell River, NDP): Thank you, Chair.

Thank you very much to the witnesses here today. It's already been really interesting.

I'm going to ask an open question of both of you. I think it's interesting that I heard in both of your interventions discussions about literacy, both on the public side and I would dare say on the intelligence side, but also maybe on the MP side. You talked about a national security strategy and a whole-of-society effort.

Those things all correlate to me. I think the discussions have become far too partisan and are not really focusing on the core issue, which is how we are going to deal with this and how Canadians can have trust in the systems that we have in place.

I guess I'm curious. How could a national security strategy help with engaging the public in a meaningful way around encouraging public literacy? Do MPs have to be part of that as well? You talked about having a cabinet committee on security, but does it make sense to have a broader component? I know that we have NSICOP, but we also heard testimony today saying that more MPs should actually be educated in this so that we can move towards a less partisan realm and address this key issue.

If you could answer that big and fun question, I would really appreciate it.

Dr. Wesley Wark: Thank you for the question, Madam Chair. I would say it's an excellent one.

I think we need to pay more attention to that, particularly on the side of trying to provide opportunities for MPs, especially newly elected MPs coming into the strange world, perhaps, of the House of Commons or even the Senate with some degree of formal education, where they were perhaps unlikely to have ever come across the nature of national security threats and intelligence responses to them. I would extend that beyond MPs and senators to include their staff, who, as you know better than I do, play an important role in providing advice to MPs. I think there is a lot of educational work that can be done there.

I also think it's the case that MPs, senators and their staff need access to more readable and publicly available information relevant to Canada on national security and intelligence. That is one huge argument for a national security strategy. National security strategies exist among many of our Five Eyes partners, and they do a number of things. Principally, they spell out the understood range of national security threats a country faces. Second, they talk about responses to those threats, in terms of both the response capability of government and how those responses fit into a democratic framework for a society engaging with these threats. It can be a very vital public education tool, including for MPs and staff, but it also serves as a road map for the government itself, which is, in the national security intelligence realm, decentralized and siloed. It could use, frankly, some marching orders.

I would remind members of this committee about some of the testimony the national security and intelligence adviser, Jody Thomas, gave to the Public Order Emergency Commission, where

she referenced the fact that she found it difficult to pull together a government response from her level because of the absence of a framework or national security strategy. If we're looking for an example to make this something more than just a nice ask, I think it was demonstrated, frankly, during the government's efforts to respond to the "freedom convoy".

Thank you.

Dr. Thomas Juneau: I fully agree.

The last point in my presentation today was to suggest that one of the benefits of a national security strategy review would be raising awareness with the public writ large. There are many ways to do that—in addition to just releasing documents called "strategy speeches"—throughout and after the process on the strategy and review, by politicians but also by senior public servants, the director of CSIS and others. Engagement and consultation with civil society are not things we do nearly as much as we should.

When I say "engagement", I mean real engagement. There is a tendency in the intelligence community, when it engages with the media, civil society and academics, to view engagement as a bit of an opportunity to "tick a box", in bureaucratic terms. However, there is a need for serious engagement as a two-way conversation with civil society groups—Chinese Canadians when we're talking about foreign interference, or Iranian Canadians, as we discussed before, and so on.

Engagement with the media is something the national security community does not do well or enough of—the national media, but also local and ethnic media. That's a very important way to get the message out to raise awareness in specific communities. There is a need to ramp up efforts at that level.

The last point, and I really want to emphasize this point, is that the national security community does better today. There is a bit of a theme in what I am saying, but there is an improvement over the last 10 years. I think that's absolutely true, but they still struggle to engage in a meaningful way. Too much engagement is viewed as the offloading of speaking points, which is, at best, not very useful. In some cases, it's actually counterproductive, because it can be offensive. It can convince people that the engagement is not meaningful. Therefore, it reinforces suspicion, mistrust and so on.

It's about engagement throughout a national security review, accompanied by a serious effort to think about how to do meaningful engagement.

• (1910)

Ms. Rachel Blaney: I think that's interesting.

I have just a few seconds.

I look at a place like Finland, which is doing a lot of active stuff in terms of education, from very young children all the way into universities and colleges. I am very curious about that process, because I've heard, even from one of the ministers, that it's a provincial jurisdiction. However, these are issues of national security. If we don't teach that literacy....

I'll come back to that when it's my turn again.

The Chair: Thank you, Ms. Blaney.

Now we'll go into five minutes with Mr. Carrie, followed by Mr. Turnbull.

Go ahead, Mr. Carrie.

Mr. Colin Carrie (Oshawa, CPC): Thank you very much, Madam Chair.

I want to thank the witnesses for being here.

This is not my usual committee, and I find the testimony very interesting.

Mike Chong is a good friend of mine. Frankly, what happened to him is outrageous, and there is a real lack of credibility in the story the government is putting forward. I think it's causing a lot of distrust in our institutions.

Mr. Juneau, I want to ask you a couple of questions. In your opening testimony, you said we need to create a cabinet committee. We need to build up the credibility of a national security review, but it's very important Canadians have confidence in the people at the top.

I am curious about this: When you were hired at your university—it's a pretty important job you have—did they give you an email address?

Dr. Thomas Juneau: Yes.

Mr. Colin Carrie: They did.

Because it's very important for people around you, like your boss and your students, to communicate with you, how many days did it take you to figure out how that email address worked?

Dr. Thomas Juneau: It took about three minutes.

Mr. Colin Carrie: Okay.

Information about Mr. Chong was sent to the former minister of public safety in May 2021. Apparently, the minister and his staff did not see that information because he didn't know his own login credentials to access these emails.

I find that incredible. I was just wondering how that would happen. What do you make of that? You've worked in government. Can you explain to the average Canadian how that would work?

Dr. Thomas Juneau: To be frank, in narrow terms, I don't think the fact that the minister would not use his top secret email is surprising and I don't think it is a problem.

Ministers have staff who will manage email for them, especially on a highly classified system. You cannot have a top secret system in the minister's office because then the whole minister's office becomes a top secret zone, which means that everything becomes extremely complicated.

Mr. Colin Carrie: This is public safety for the entire country. Don't you think the person in charge of that should at least know his login credentials? Maybe or maybe not.... Whatever the system is, people around him should be responsible to inform him. I find it unbelievable that he says he didn't have access to those emails. I find that you are sticking up for him here.

I can criticize an individual. I find that outrageous.

Dr. Thomas Juneau: I'm not sticking up for the minister or for anybody else. I just think that in this or any other government, it is not for a minister to manage his or her own email. That specific aspect, especially on highly classified systems—

Mr. Colin Carrie: For top secret email, the guy at the top shouldn't—

The Chair: I'm sorry, but I'm just going to pause really quickly. We can just pause the time.

Mr. Carrie, I appreciate your being at committee tonight. It's always a privilege to have people come visit because this, to me, is the place to be.

At this committee, one person speaks at a time and we go back and forth because the two official languages are of utmost importance. It helps the work of the interpreters. We keep eye contact with each other and then we just give a turn to each other. Two people do not speak at the same time.

With that, I will give the floor back to you, Mr. Carrie. This time was not taken away from your time.

● (1915)

Mr. Colin Carrie: Thanks, Madam Chair. I want to apologize. I was getting a little emotional about it.

What do you make of the fact that it took the previous minister of public safety four months to give CSIS the authority to monitor a politician they identified, who had long been on their radar?

Mr. Juneau, we might as well stay with you.

Dr. Thomas Juneau: I find that in the absence of more information, it's very difficult to come to a clear conclusion on that. It seems long based what is out in public. It seems too long, but it's hard to say more specifically than that.

Mr. Colin Carrie: Mr. Wark, I'm curious what you think.

Please explain it to the ordinary Canadian.

Dr. Wesley Wark: Madam Chair, I would simply say that my understanding is that the committee is going to hear from the minister in question, Bill Blair, tomorrow. Obviously, the question should be addressed to him.

I would only note that Minister Blair publicly said that the Globe and Mail report alleging that it took four months for this action to take place was in error. Perhaps he will clarify that.

If I could come back to your previous question about trying understand the kind of intelligence flows that come to ministers and their staff, I would just say two things.

One is that intelligence flows are extremely voluminous. There are multiple classified systems to handle different levels of classification. It's not a simple system. It's not a matter of having our university email logins available to us and not forgetting them. I think that is a bit of a caricature of a complex reality. It's not to excuse the fact that intelligence can get lost. That is inexcusable.

I do want to draw attention to another issue, which is that, as best we know from media reporting, what was being discussed here, at least initially, was a nine-page intelligence assessment in which this component of a warning about the targeting of unnamed MPs was frankly buried in the middle.

That comes back to an important issue, which is that it is incumbent on intelligence agencies and those who frame their reports and their analysis to be very clear about what they think is significant information. You cannot expect a minister, staff or senior deputy minister in the government to read through nine pages and see that there was this vague reference in the middle of this report that they really should have paid attention to, but actually nobody asked them to do that.

I do think that there's a larger systemic issue here. It is not just governance, as Mr. Johnston indicates; it is larger than that. As I've said, it's around intelligence cycle issues. Get the collection right. Get the analysis right. Get the reporting right, and raise the bar on culture issues.

Thank you, Madam Chair.

The Chair: Thank you.

Mr. Turnbull, go ahead.

Mr. Ryan Turnbull (Whitby, Lib.): Thanks, Madam Chair.

Thanks to both of the witnesses for being here today. Your appearance and expert testimony are greatly appreciated.

In response to Mr. Carrie's comments, I'm friends with Han Dong, and on the flip side of this, you can see how allegations made in the media from a supposed unverified leak can irreparably damage someone's reputation. I'll just state that at the outset. We have to look at this in a very balanced way and try to get to the actual facts.

I want to ask Mr. Wark to comment on the need of a public or judicial inquiry. This morning, we heard from some witnesses who said a public inquiry is needed. I keep getting the sense that some members of the public think a judicial inquiry would air, or vent, all of these highly classified national security documents in public, but I don't think that's true. Vast amounts of intelligence would have to remain undisclosed, and therefore secret, even within a public or judicial inquiry.

Mr. Wark, would you agree with that?

Dr. Wesley Wark: I would indeed. There are very significant secrecy protection issues involved in a judicial inquiry that might look specifically at intelligence operations, and ongoing intelligence operations, which would be at the heart of any judicial inquiry specifically focused on Chinese foreign interference.

I also think it's important for the public to understand some other things about judicial inquiries, and I say that in the context of hav-

ing been engaged in three of them over the past two decades: the Arar inquiry, headed by Justice O'Connor, dealing with matters to do with the treatment of Mr. Arar and, in particular, the RCMP's involvement in that; the Air India inquiry, headed by Justice Major; and, most recently, the Rouleau commission, which looked into the "freedom convoy", for which I wrote a paper on intelligence and took part in the policy round tables.

Judicial inquiries are a great thing. They're an important instrument, but they're not always fit for every purpose. It's important for Canadians to understand that judicial inquiries are not designed to move at speed. Judicial inquiries take time. They're meant to take time. They're deep dives. They're surrounded by a judicial framework. They're quasi-judicial in nature in terms of their proceedings, with many parties potentially having standing, and, as you know, being able to cross-examine witnesses.

• (1920)

Mr. Ryan Turnbull: Can I interject there? I have limited time, and I want to ask you some specific questions.

How long does one usually take? You said in a recent article that it was about two to three years. Is that correct?

Dr. Wesley Wark: Two to three years is probably an average. I've never tried to count it. The McDonald commission, which established CSIS, took five years to come up with its recommendations.

Mr. Ryan Turnbull: From an expediency perspective, viewing what must be a strengthened intelligence system and response before the next election, whenever that time comes, would you agree that we really need a much faster process?

Dr. Wesley Wark: I would indeed.

I'll keep my response brief. If urgency is the issue, which I think it is, in terms of coming up with some measures to strengthen the government's response and improve Canadians' understanding, you will not get that through a judicial inquiry. Urgency and transparency are the ingredients that can be delivered through public hearings.

Mr. Ryan Turnbull: Thank you.

Recently, in your article, you stipulated what you think would be or should be the objectives of a public or judicial inquiry. You said, "an increase in public knowledge and understanding...to improve the capacity of the Canadian intelligence system." Is that correct?

Dr. Wesley Wark: That's correct.

Mr. Ryan Turnbull: You also said, in the same article, that judicial inquiries "are not meant to be used as an instrument to continue partisan political controversy." In your view, from your assessment of the current political climate and in relation to this topic, are the motives of the parties pushing for a public inquiry focused on the optimum objectives?

Dr. Wesley Wark: Mr. Turnbull, that strikes me as a leading question, slightly, and I'll dodge it, if you don't mind.

We all agree there are high passions raised by this issue, and partisan positions have been taken. That is perhaps inevitable in a democracy. There have been many calls for a reduction in the partisanship around the issue of national security, which I think we would all like to see.

Mr. Ryan Turnbull: Do you agree with those calls?

Dr. Wesley Wark: I do.

Mr. Ryan Turnbull: Okay, good.

For my final question, I'd like to ask you this. You've also said that both objectives could be achieved more expeditiously through public hearings. Can you tell me why, very quickly?

Dr. Wesley Wark: As you know, Mr. Johnston's mandate—and it was Mr. Johnston who came up with the idea of public hearings and took many of us by surprise with that idea—ends in October. He has a limited amount of time to come up with recommendations. He's clearly, from his first report, going to rely extensively on those public hearings to give him guidance. I think public hearings can call on a wide range of interested actors across Canadian society and experts overseas to help him with that.

Thank you.

The Chair: Thank you so much.

I'm going to put on the record that, Mr. Turnbull, you had 20 seconds less than the response that came to Mr. Carrie. I know that we want an additional round, so I will try to complete that and provide that extra time.

[*Translation*]

Ms. Normandin, you have the floor for two and a half minutes.

Ms. Christine Normandin: Thank you very much.

Once again, I'm going to put a question to both witnesses, but perhaps Mr. Wark could answer it first.

One of the reasons we've been given for not proceeding with an independent public inquiry is the delicate nature of the intelligence that might be revealed. However, witnesses told us this morning that, in a foreign interference setting, these are relatively easy problems to solve and that this intelligence may be less sensitive than that associated with spying cases, for example.

I'd like to know how sensitive the information on the foreign interference issue is compared to information on the inquiry into the bombing of Air India flight 182 or the Maher Arar inquiry.

In this context, if we attach too much importance to the national security issue, don't we risk classifying too much intelligence as secret and preventing the public from accessing enough information to gain a little clarity?

• (1925)

[*English*]

Dr. Wesley Wark: I agree completely with my colleague, Thomas Juneau, that there are systematic, persistent problems with

over-classification. I don't think those are going to be solved solely through a focus on foreign interference issues.

An important question is this: What is the level of sensitivity that we're talking about in holding either a judicial inquiry or public hearings on foreign interference? I think it has to be understood as extremely high. I think it also has to be said that some of the media revelations based on the documents clearly compromise what are often called Canadian sources and methods because they refer, among other things, to the contents of intercepted communications flowing between Chinese diplomatic officials in Canada. There is only one way in which that material can be gathered. There are sources and methods at stake, which is at the heart of the information you have to protect.

It is also important to understand that you cannot hold a judicial inquiry into foreign interference without considering where the trends are going, what's ahead, what the current operations are, what the current investigations are, and what challenges they face. Again, all of that would have to be protected by a very heavy and high curtain of secrecy.

With regard to public hearings, we're going to have to deal with that same issue of secrecy. However, they are not going to try to penetrate it but will try to get at the general issues. I think that is the more valuable proposition for Canadians.

[*Translation*]

Dr. Thomas Juneau: I agree with what Mr. Wark said.

I will simply repeat remarks that I made earlier in my presentation and that I've made several times in the media in recent weeks. I don't really find the argument against conducting an independent public inquiry, which is that it would reveal too much sensitive information, very convincing. It's possible to conduct a public inquiry even if important information remains secret. Conclusions may be disclosed. As mentioned earlier, some aspects of communication with the public are very important.

In my view, the strongest argument is that conducting a public inquiry would actually add little value. I think that many of the people in favour of holding a public inquiry overestimate the potential benefits of such an exercise and underestimate the contribution that can be made by the National Security and Intelligence Committee of Parliamentarians, the NSICOP, the National Security and Intelligence Review Agency, the NSIRA, and other agencies. I don't think it would make much of a difference.

The Chair: Thank you.

Go ahead, Ms. Blaney.

[*English*]

Ms. Rachel Blaney: Thank you.

This is so interesting.

I will come back to the part I was talking about: having the general public have a level of awareness and literacy in terms of these issues. I also want to touch on the fact that I represent a rather large rural and remote riding. One of the challenges, of course, is how people get information. I find that, as local news providers are struggling for funding resources, more and more people are just going online and don't necessarily have the ability to decipher what is fact and what is not fact.

What kind of commitment do we need to have in this process around educating the general public to have that ability and that literacy to take information in and process it? How does that benefit our national security as a whole?

Dr. Thomas Juneau: I think that's a great question. That's a topic that I've been very interested in working on.

For the last three years, until last year, I co-chaired an advisory body for the intelligence community called the national security transparency advisory group. I stopped doing that role last summer. One of the questions we looked at a lot in our work, in the transparency advisory group, was how to promote engagement with Canadians. A lot of the points I mentioned, such as the importance of sustained engagement and meaningful two-way conversations, as opposed to data dumps, which happen far too often. Those are some of the questions that we looked at a lot and that I'm very interested in.

I mentioned media engagement a few minutes ago. I think it really bears repeating. The national security community at the political level, but also at the bureaucratic level, needs to engage much better with the media, not just in terms of quantity but in terms of quality. It's about national media, but also local media—you mentioned how you are in a remote riding—and ethnic media, to talk about foreign interference.

Speaking to members of the media, I know the frustration they feel in dealing with the bureaucracy. I'll stick to the intelligence side, because I don't really know the rest. It takes days to get answers, and when they get answers, they get meaningless, boilerplate speaking points. That is very counterproductive to national security, ultimately. I get why, in the short term, bureaucracies do that, but it's counterproductive.

The reason why we need to think much more deeply about this is that, as I mentioned, societal resilience is a first line of defence against foreign interference, economic espionage, cyber intrusions and so on. An educated population, with the media playing an important transmission belt role, is part of stronger national defence, so it's deeply counterproductive not to do that.

• (1930)

The Chair: Thank you.

With a desire from committee members, we are going to go with a quick question for the Conservatives, followed by the Liberals, to wrap up this round, and we'll see you on your way.

Thank you so much.

Go ahead, Mr. Small.

Mr. Clifford Small (Coast of Bays—Central—Notre Dame, CPC): Thank you, Madam Chair.

My question is for Mr. Wark. I heard him say that we need a security council chaired by the Prime Minister here in Canada. Given how polarized Canada has become in the last eight years, how do you think that would increase the trust of Canadians in our national security, Mr. Wark?

Dr. Wesley Wark: Thank you for the question.

I don't think any of us imagine that any particular institutional change to the machinery of government is going to necessarily solve the larger issue around trust in and understanding of national security threats and responses.

I think the benefit of a cabinet committee chaired by the Prime Minister speaks to the question of raising the culture of intelligence within the federal government at the most senior level to ensure that there is a cabinet committee, chaired by the Prime Minister, seized by these kinds of issues and capable of looking ahead to threats that are on the horizon, as opposed to something like the incident response group, which is a purely emergency committee that is reactive and short-term.

Mr. Clifford Small: Thank you.

I have one more question for Mr. Wark.

You spoke about the hearings by Mr. Johnston. How can those hearings be productive, given the epidemic of over-classification mentioned by Mr. Juneau? Do you agree with Mr. Juneau that there's an epidemic of over-classification?

Dr. Wesley Wark: I agree with my colleague, Professor Juneau, that over-classification is a problem. It's not unique to Canada, but we certainly suffer from it. One of the ideas contained in the agenda of the public hearings that Mr. Johnston has proposed, as you know, is to tackle that declassification issue to see if something could be done to—

Mr. Clifford Small: Thank you, Mr. Wark.

The Chair: Thank you.

Professor Juneau, because your name was said, do you want a quick two seconds? Okay. Excellent.

Mr. Turnbull, you have less than two minutes to do whatever you can.

Mr. Ryan Turnbull: Mr. Juneau, I'd like to ask you a couple of quick questions with a bit of a preamble. You mentioned the architecture of the system and a coordination role. Mr. Johnston, in his report, talks about shortcomings in the way intelligence is communicated and processed.

When we had Jenni Byrne come to PROC, despite there being eight CSIS reports identifying foreign interference, she said she wasn't really briefed on it and it basically wasn't a concern during the Harper era. We know that Mr. Fadden in 2010 passed information on to the then national security and intelligence adviser with regard to provincial- and municipal-level foreign interference. Prime Minister Harper said he was unaware of it.

Is it possible that these shortcomings in the intelligence system, in the way that communication is relayed up and down, are long-standing problems that have persisted for quite some time?

Dr. Thomas Juneau: Broadly speaking, without going into the details of specific issues, I would say yes. I think the neglect of national security and intelligence issues is years old. It's decades old. There is an overall trend. I think we did see clear improvements during the Conservative years from 2006 to 2015 as a result of Afghanistan, for example, but the trend I was describing of steady improvement starts before that, continues during the Harper years and continues now.

Mr. Ryan Turnbull: Okay. Great.

As a last question, in terms of the public hearings that the Right Honourable David Johnston proposed, do you think this topic of coordination and the architecture of the system, combined with the communication shortcomings he's identified, would be a good topic? What could we hope to achieve in a public hearing on that?

You've talked about intelligence and policy literacy. I'm wondering whether that's a topic worth digging into in a public hearing.

• (1935)

Dr. Thomas Juneau: The short answer is absolutely yes. As I mentioned briefly in my remarks at the beginning, there is a resistance to change within the national security community. If public hearings can create an impetus, public pressure for change and pressure coming from the political level, I think that can only be a good thing.

Mr. Ryan Turnbull: Thank you very much.

Thanks, Madam Chair.

The Chair: Excellent. Thank you so much.

Professors Juneau and Wark, on behalf of PROC committee members, thank you for your time and attention today. If there is anything else you'd like to share with committee members, please do not hesitate to let us know. Just send it to the clerk. We'll have it translated in both official languages and then shared with members.

Your insights and time are appreciated. With that, we wish you a good rest of the day.

To committee members, we will suspend for a quick two minutes. Then we will have one witness in person and the other by video conference. We will do the sound check and be right back at it again.

Thank you. We'll see you shortly.

• (1935)

(Pause)

• (1940)

The Chair: Good evening, everyone. I'm calling the meeting back to order.

In our next panel, we have with us Ms. Margaret McCuaig-Johnston, senior fellow at the graduate school of public and international affairs and the institute for science, society and policy at the University of Ottawa. From the Vancouver Anti-Corruption Institute,

we have Mr. Peter German, chair of the advisory committee, joining us again by video conference.

Each of you will have up to five minutes for an opening statement.

I will just remind members that if they are using an earpiece, it is best to keep it in their ear or away from the microphone.

With that, Ms. McCuaig-Johnston, the floor is yours. Welcome to PROC.

Ms. Margaret McCuaig-Johnston (Senior Fellow, Graduate School of Public and International Affairs and Institute of Science, Society and Policy, University of Ottawa, As an Individual): Thank you, Madam Chair. I'm honoured to speak about these critically important issues today.

My own expertise is on China. While I'm not an intelligence expert, I had top secret special access security clearance during much of my time in government. I've seen many intelligence reports. I've dealt extensively with CSE and CSIS over the years, always regarding issues relating to China.

Despite my name, I'm not related to the Right Honourable David Johnston, but I very much admired his work and contributions to Canada when we first served together on a task force in the 1990s. When he was appointed as special rapporteur, I supported his appointment in the media, as I thought that among all Canadians he would be one of the most concerned about the threats to our democracy posed by China. I was therefore extremely surprised and disappointed with his dismissal of an independent public inquiry.

I've been very concerned with the extent to which the PRC has acted to compromise our electoral system. I'm very grateful to the public servants who have risked their careers and personal freedom by speaking to media about these threats, which of course have brought us to these committee meetings and the report. I do not say that lightly. As a former senior assistant deputy minister, I know well the rules about keeping government documents secret, but without those leaks, we would still be oblivious. Their release has not caused the great harm to the Canadian interest that Mr. Johnston invoked.

In rejecting the inquiry, he stated, “A Public Inquiry examining the leaked materials could not be undertaken in public given the sensitivity of the intelligence.” Yet, in his report he went on to do exactly that. He went one by one through 12 specific intelligence allegations that had been reported in the media. In each case, he identified that he had reviewed the intelligence, whom he had interviewed about it and, in some cases, what they had said, and then reported very specific findings. In some cases, he found that there had been irregularities tied to the PRC consulates. He reported what the Prime Minister, ministers and others knew and didn't know. In some cases, he explained why the allegations did not have merit or could be explained, or how there was not visible evidence of money changing hands in cases of illegal campaign donations.

He did not address the 10 additional leaks that appeared in The Globe and Mail, so we're left to assume that they did not require comment and are therefore accurate.

All of this is excellent work on the part of Mr. Johnston. The results of his research and analysis are very clear. This is exactly what I was hoping for in this report. Given his thorough analysis, he has proven well how one can assess intelligence and speak about it publicly to ensure that we are clear on what happened. While I would dispute how easily he dismissed some of the allegations, I have no doubt that he used his best judgment and we can thank him for that. It proves that it can be done.

I would pose this question: What about the additional cases of Chinese interference about which the media have not reported? Given the depth and breadth of China's activities and the very large number of Chinese officials posted in Canada, I have no doubt there is much more that we should be made aware of. Without an independent public inquiry, we'll go back to being oblivious.

What the Johnston report did not talk about, and what no one is talking about, is what consequences China has seen for the many infringements of our democracy that it has already committed. So far, the consequences have been one single official sent home to Beijing, and only because his specific name was released along with his threats against Michael Chong and his family.

I'm very concerned that in talking about the public hearings, Mr. Johnston announced that he would be hearing from the Chinese diaspora. The Uyghurs, Tibetans, Falun Gong, pro-democracy Hong Kongers and human rights activists would be more targeted if they spoke in public hearings. For what? They've called for many years for a single window for investigations and for a foreign agent registry, which are still not implemented.

I hope the government has now gotten the message that Canadians care about these issues, because they clearly do. Other countries are watching us, too. We must do this properly so they can learn from us.

I look forward to your questions.

• (1945)

The Chair: Thank you, Ms. McCuaig-Johnston. We look forward to your comments and answers.

Mr. German, welcome. The floor is yours.

Dr. Peter German (Chair of the Advisory Committee, Vancouver Anti-Corruption Institute): Thank you, Madam Chair.

Thank you for the invitation to return to the committee.

I appeared in person on May 11, and I was before the fisheries committee yesterday. I would have remained in Ottawa, but I had an obligation here today, so I am glad to be able to attend virtually.

I do not have an opening statement, because I provided one on the 11th and I won't bore you with another.

I think it's safe to say, by way of background, that I'm a former deputy commissioner of the RCMP and of Correctional Services Canada. Our Vancouver Anti-Corruption Institute is an NGO located at the University of British Columbia.

On May 11, I spoke about the possibility of a registry of foreign agents and some factors the government would want to take into consideration when creating such a registry, principally around the issue of transparency.

I also talked about money laundering, which is really my area of specialization, and the issue about following the money. I drew a parallel between dirty money entering the election process and dirty money being used for terrorism. It's really a case of what resources we have and what tools we have to investigate matters such as this.

I've also had the benefit of listening to your previous two witnesses in the past hour, and I am somewhat familiar with the conversation that took place.

Thank you very much. I'm happy to answer any questions you may have.

• (1950)

The Chair: Thank you, Mr. German.

I'm sure you've been watching all of our PROC committee meetings with a lot of thought and commentary, not just the last couple of hours but every single one.

Welcome back. We're going to look at a mechanism, for our frequent visitors to PROC, for how we can reward you for providing us the time. We do appreciate it and thank you for coming back.

With that, we're going to start a six-minute round. We will start with Mr. Berthold.

[Translation]

He will be followed by Ms. Sahota, Ms. Normandin and Ms. Blaney.

Mr. Berthold, you have the floor for six minutes.

Mr. Luc Berthold: Thank you very much, Madam Chair.

Ms. McCuaig-Johnston, first I wanted to thank you for your candour. You confirmed that you had initially approved of the candidate selected as special rapporteur, but you were very critical of his recommendations today.

I read your Twitter feed to prepare for my testimony today. You said the Government of Canada should start expelling more Chinese diplomats in response to the communist Chinese regime's disinformation efforts targeting members of Parliament. You posted that tweet today, and I wanted to link it to an article that appeared in *The Globe and Mail* on May 12 stating that CSIS had provided the government with lists of diplomats who could be considered for expulsion because it had been discovered that they were carrying on interference activities.

Don't you think that the fact the Johnston report doesn't recommend expelling more Chinese diplomats or taking firmer action toward the Beijing regime is a major failing?

[English]

Ms. Margaret McCuaig-Johnston: I think this is one of the failings it has. It's a broader failing of the government not to act before this to take action on the interference we've seen so far. I am concerned about what's in the David Johnston report, and I'm very concerned about the leaks and about what else is going on.

We hear, when we talk to the diaspora, that there are other things going on in the system as well. This is one of the few overt actions that the government can take to show its displeasure with what a country is doing.

[Translation]

Mr. Luc Berthold: You mentioned something that really struck home for me because we're extensively discussing interference and the involvement of MPs targeted by the Beijing regime. You mentioned a recommendation in the Johnston report regarding consultation of the members of the diaspora. You said that being heard publicly would put them in a very difficult situation given the ties they still have with their families in China.

Would you please say more about that? It's important to note that MPs are the only ones who have been targeted by interference from the Beijing regime.

[English]

Ms. Margaret McCuaig-Johnston: That's correct. Sometimes the diaspora have given testimony behind closed doors to parliamentary committees. Often, they've talked to government officials.

There's something called the Canadian coalition on human rights in China, a body made up of the leaders of many of these diaspora groups. What they have to reveal is shocking and very concerning as to how they and their families are treated. They are threatened through their families back home. To go public, as David Johnston wants them to do, would put them at further risk.

What we've seen is that, when he talks about public hearings, it's the diaspora that he puts front and centre. In addition, he's talked about having people like the intelligence and security experts you've heard from today, who have given testimony. We've heard them in this forum; we've heard them in many forums.

I think it's more important to get to the root of what's happening in parliamentary electoral interference and in the other systems of interference that they have in our society.

[Translation]

Mr. Luc Berthold: How many Beijing regime diplomats are currently in Canada? Do you think Canada is being too lenient?

• (1955)

[English]

Ms. Margaret McCuaig-Johnston: We have 176 Chinese diplomats in Canada. China has 178 in the United States. Why are they paying so much attention to Canada? To a large extent, it's because we have a very large diaspora. There are 1.4 million Canadians who have roots in China, Hong Kong and Taiwan.

They are attempting to use the diaspora as an extension of what they call the motherland and to have the diaspora support the position that the Chinese government takes on all kinds of issues, and certainly not do anything to undermine it. To the extent that they speak out against threats that their families have had or criticize regime politics and efforts, that can come back badly on them. They need to be able to speak behind closed doors, which a public inquiry would allow.

[Translation]

Mr. Luc Berthold: I don't want to get you into an awkward situation with the diaspora, but how would a public inquiry be different from public hearings? Mr. Johnston's whitewash report recommends public hearings. Considering the lack of trust he seems to have with the Canadian public and Parliament, do you really think that can make a difference? How are public hearings different?

[English]

Ms. Margaret McCuaig-Johnston: A public inquiry would be able to subpoena documents. It would be able to get much more intelligence from CSIS and CSE to analyze and assess what's going on in our society, to what extent Parliament needs to be informed and to what extent the public needs to be informed. They would then address that at a high level but have a very comprehensive report.

My concern about the public hearings is that they would be, and would be seen to be, superficial. They would hear from people like the ones you've been hearing from here, but not get into the very deep issues that CSIS and others have exposure to.

The Chair: Thank you so much.

The beep that you hear will be the end of the round. If you are in the process of rendering an answer, we'll just let you complete that thought for the purpose of the work that we're doing. Thank you for that.

With that, we will now go to Ms. Sahota.

Ms. Ruby Sahota: Thank you, Madam Chair.

As you know, we've been having these committee meetings for quite some time. It's interesting; depending on the witness, we kind of go back and forth on some things. The Right Honourable David Johnston has indicated...and many other witnesses here have stated that a public inquiry is maybe the right way to go, because certain things need to be in public. Others have said that NSICOP and other forums are a good place to go, because certain things need to be secret. Now we are hearing that certain things need to be kept secret and in camera at a public hearing.

Many paths, I think, could lead us to doing the work that's necessary to protect our democracy. I think that's what we're trying to get at. All of us are trying to figure out a way forward so that we can strengthen our institutions and make sure that foreign interference is not as prevalent as we see it today. That is the outcome we all want.

My question is for you, Ms. McCuaig-Johnston. After reading Mr. Johnston's report, it seems as though you do agree with some of the outcomes or conclusions he's come to. Do you not see that perhaps his conclusions could possibly also reach an outcome similar to what you would like to see in terms of strengthening our democracy? Could this not be a path that would still get us good outcomes?

Ms. Margaret McCuaig-Johnston: It appears, from how he has expressed his public hearings to roll out, that he's looking for public commentators, professors and experts on national security, whom we've been hearing from. He wants to hear a lot from the diaspora. That's front and centre. All of this is in public hearings. Without the attempt to go into detailed CSIS documents and analyze what has not been in the leaks and what further the Canadian public should be made aware of...and that some action should be taken.

He's also put the onus on the Canadian government for policy and governance solutions. I think there's merit in those, but it takes the onus off the Chinese government to stop doing what they've been doing to our electoral system. I think that's not going to be touched at all, from what he has said. That, I think, is where the public inquiry needs to go, to take a much deeper dive. We've seen the tip of the iceberg, but we now need to see what's in the water to see what else is happening in our system.

It also goes to the importance of a national security and intelligence committee of cabinet, chaired by the Prime Minister, which I fully support. I concur with my colleagues who were here earlier this evening.

• (2000)

Ms. Ruby Sahota: But the public hearings are not the only things he's proposed. There is NSICOP. There are other institutions and panels and bodies set up that will be looking at this, so that the onus would still be on China. Also, to educate Canadians is an important part. I'm sure there's flexibility where, if some Canadians felt they couldn't come forward in a public manner, something could be put forward for them so that the evidence could still be taken and so that all is not for nothing.

Moving on to my second question, you've been at a deputy minister's level as well. You said you were taking in a lot of this type of information at the time, especially particular to China. Do you think it is not important, at this time in particular, for leaders of all parties

to perhaps take the briefings they can get so that they, too, can become aware of the information that is out there?

I know that you've made some comments that, just as the Right Honourable David Johnston has disclosed some things without actually revealing intelligence secrets, discussions and commentary could still be made about the issue without disclosing those secrets, but it's important to have a better understanding and come from a place of knowledge. Would you not say so?

Ms. Margaret McCuaig-Johnston: I believe more knowledge is always important, so yes, I would concur with that.

On NSICOP, Mr. Johnston talked about the high value of it, and I completely agree. I think David McQuinty has done a tremendous job, and the other committee members have as well, but their very important recommendations have repeatedly been ignored. Their reports prove, again, that a public inquiry can report on issues of national security. Mr. Johnston said that NSICOP can review his work and that they should report publicly if they reach a different conclusion. But they actually aren't allowed to do that unless the PM says they can. That would result in the PM saying that NSICOP has come to a different conclusion from his own Johnston report, which he has commended.

So there are some disconnects there.

Ms. Ruby Sahota: That's interesting. NSICOP regularly reports their findings, in the manner in which they can.

That's all my time for now. Thank you.

The Chair: Do you want to finish that thought, Ms. Sahota?

Ms. Ruby Sahota: No, my follow-up was going to be a bit longer than that.

The Chair: I appreciate that. Thank you.

Madame Normandin, go ahead.

[Translation]

Ms. Christine Normandin: Thanks to both witnesses for being here.

I'm essentially going to go back to the question my colleague Mr. Berthold asked about public hearings and the fact that members of the Chinese diaspora could become targets of the Beijing regime if they testified.

Ms. McCuaig-Johnston, would an independent public inquiry be a more appropriate forum enabling those people to testify in a safer setting? The members of the diaspora also have to provide information to a commissioner, who will make recommendations.

• (2005)

[English]

Ms. Margaret McCuaig-Johnston: Yes, they should have an opportunity to provide it in public if they want, or as far as they want to go, but also with the option for in camera, and public inquiries normally would provide that option. I think it's important for the intensity of the work that needs to be done that it take place in a public inquiry.

This is not an issue that we can address in the next four or five months. It's going to take time to go through it in the amount of detail that it merits. Remember that this is an issue that has been the focus of Parliament, of this committee and of the Canada-China committee, to a large extent. People like me and all kinds of experts are looking at these issues. It's been all over the media, and the public opinion polls show that Canadians are very concerned. You don't just have a few public meetings and say, here are a couple of things that can be done in process and governance, and that's it. We need to get into the details of the interference as China has been conducting it here in Canada.

[Translation]

Ms. Christine Normandin: Thank you very much.

My next question is for both witnesses and is based on a premise stated by Ms. McCuaig-Johnston.

You mentioned that the media have reported some interference cases but that there are probably many more we're unaware of. That incidentally is what an independent public inquiry would help shed light on.

Considering all the revelations regarding Mr. Johnston, do you think the general public has enough trust in him to want to testify? It's he who should continue all the public hearings. Is the fact that his appearance of impartiality has been undermined a deterrent? Will the public want to come and testify and provide further information?

[English]

Ms. Margaret McCuaig-Johnston: I can't comment on his neutrality. I know the points have been made by many politicians. I do know that he's looked at it for two months, and he does not have a deep China experience or a deep security experience to bring to it. He's looked at it for two months, and in those two months he concluded that there should be public hearings of the diaspora. He doesn't understand that the diaspora would never want that, which suggests that he doesn't have that understanding of what's happening, the dynamic that's happening in the communities of Chinese Canadians out there.

[Translation]

Ms. Christine Normandin: Mr. German, does the fact that Mr. Johnston still occupies the position undermine people's trust? In other words, will they have enough trust in him to ask to testify before him?

[English]

Dr. Peter German: Thank you for the question.

I'm really not prepared to comment on Mr. Johnston, or what the public feels about him, but allow me to just comment on this issue of a public inquiry.

We went through a very similar discussion in British Columbia after the "Dirty Money" reports that I authored. The public seemed to want a public inquiry on money laundering, and the question was, do we or don't we? As your previous witnesses indicated, public inquiries are lengthy, and they are also, I would add, costly, but they do provide a mechanism by which the public can interact and hear on a daily basis from witnesses and so forth.

I certainly agree that protection of witnesses will be critical in any public inquiry or hearings, whether it involves China, Iran, Russia, you name it. People who are impacted by interference of one sort or another by a foreign government will need protection. Yes, there are certainly spokespersons who would be happy to appear in public, but many members of the diaspora, as we indicated, would not.

I should also mention the Cullen commission. Justice Cullen was eventually appointed in British Columbia to deal with the issue and actually held public hearings as part of his public inquiry, so he was able to combine both mechanisms. He actually started with public hearings at various forums around British Columbia to hear from the public, anyone who really wanted to talk to him about money laundering. Then he got into the nitty-gritty of his work—reviewing documents, experts, etc.

The big difference here, of course, is this issue of classified documents. There are mechanisms to deal with that, as the previous witnesses have discussed, and there are provisions in our Canada Evidence Act. We do similar things in the Criminal Code. There are ways of dealing with it, but it's not easy.

Thank you.

• (2010)

The Chair: Excellent. Thank you. Nothing good seems to come easy, so we appreciate that.

Ms. Blaney, go ahead.

Ms. Rachel Blaney: Thank you, Chair.

I thank our witnesses for being here today to testify.

This is a very complex issue. I appreciate both witnesses for acknowledging how complex this is, and the fact that there needs to be a lot of addressing of issues, both within this atmosphere and in the general public.

Something that came up earlier in the testimony today was around building literacy for Canadians, around addressing these issues and building that literacy so that as we're going down this path of really understanding what's happening in terms of foreign interference from multiple countries, we're acknowledging that it's an ever-changing and evolving reality that we have to collectively respond to in a meaningful way.

Could you both share your thoughts on the importance of building that literacy for Canadians and how that would support national security in the long term?

I will start with Mr. German, and then go to Ms. McCuaig-Johnston.

Dr. Peter German: Thank you for the question.

I would start by saying not to underestimate the literacy of Canadians. It's no different from everybody having a vote or everybody having an opinion. I suspect everybody will have an opinion on national security today in the population, particularly the people living in the particular diasporas we're talking about.

I live in greater Vancouver. We have large Iranian and Chinese diasporas here. I can assure you that people in those communities know full well about the implications of the issues that we're talking about here today, and they have positions one way or the other.

When we talk about education, I think we have to be fairly focused on what exactly we're talking about and what we are trying to accomplish, whether it be by way of an inquiry or hearings. It gets back to this issue of protection. People are already quite familiar with these issues.

Thank you.

Ms. Rachel Blaney: Ms. McCuaig-Johnston, go ahead.

Ms. Margaret McCuaig-Johnston: Thank you.

I support that. I think we've seen that the Canadian public has a lot of interest in and a lot of concern about this. We see it in the public opinion polls. We see it in the fact that 72% of Canadians want a public inquiry. They want these issues aired. They're very concerned that the government is going to completely get on top of this and not leave it to some superficial kind of process.

Further, I think there's a lot of merit to the literacy of cabinet on these issues because we need a national security committee of cabinet to have the Prime Minister and ministers around the table discussing these issues collectively on a regular basis, with regular briefings for all of them on CSIS-related intelligence. This is important because they're going to be dealing in cabinet with all the economic opportunities. There are also risks and we're seeing the risks now in this interference.

I attended cabinet committee meetings for five years every week, and the dynamic you see around the table is really important. It's built over months and years of collaboration on these kinds of issues. I think it's sad that we haven't had one up until now. This is an opportunity to introduce one.

There was a suggestion by Mr. Johnston that it would be a committee instead of the national security and intelligence adviser, and I strongly disagree with that. It's both that we need.

Ms. Rachel Blaney: That's really interesting.

One thing that has really impacted me in doing this process, especially knowing that this is a question of privilege, is that Mr. Chong also brought up during his testimony the importance of the diaspora community and what they're facing in their everyday life, depending on their circumstances.

My question is around a couple of things. One is, there's been discussion about the foreign registry, and I think we've also heard from those communities that there's concern about that being done well and not increasing discrimination against particular communities in this country. Also, there's the fact that it seems that people who come forward with concerns because they feel they're being impacted by foreign interference are not able to actually get the support and the help that they need.

I'll leave that to you, Ms. McCuaig-Johnston, to talk about your understanding of that, knowing that you don't speak for all diaspora communities, but just the parts that you have been exposed to.

• (2015)

Ms. Margaret McCuaig-Johnston: Thank you.

This is a really important issue. I'm very encouraged by the signals that we're hearing from the government that there will be a registry. I think that's important. I've participated in consultations. Personally, I think the registry should just focus on the countries that we think are a problem—China, Iran and Russia—rather than having people from the Netherlands, the U.S. and others having to register. However, I don't believe that's the approach that will be taken, so that's fine. I think it's important that we have one.

I can give an example. In New York City, the police were able to arrest a number of Chinese associated with the police station in New York City, and the reason was that they had a registry. Those individuals were threatening people in the community and they weren't registered, so they could be charged. We don't have that here. I think it would help the diaspora a lot if they knew that these people could be charged.

The Chair: Thank you.

With that, we'll go to our second round. We will start with Mr. Carrie, followed by Mrs. Romanado.

Mr. Carrie, you have five minutes. The floor is yours.

Mr. Colin Carrie: Thank you, Madam Chair.

Mr. German, I'd like to start with you. You're probably one of Canada's most credible experts on dirty money, so I'd like to talk to you about dirty money. We know Beijing likes to throw their money around. They throw it around for influence. We've heard stories in the past where politicians may accept Beijing cash for access: fundraising, donations to foundations, pet projects, things along those lines.

I think it's important that Canadians know where the money comes from. I was wondering if you could explain how the funnelling of money from Beijing works. I'm reading Sam Cooper's book *Wilful Blindness*, and I think it should be mandatory reading for anybody who's interested in this particular topic. I was wondering, could you tell the committee about what Sam Cooper coined in his book *Wilful Blindness* as the "Vancouver model"? Could you explain that to us?

Dr. Peter German: The term “Vancouver model” comes from a professor in Australia who observed what was taking place in Vancouver, John Langdale. I used that in the “Dirty Money” reports. It was later accessed, and that’s where Mr. Cooper comes up with it.

It speaks to the movement of money out of China avoiding capital controls that exist in China. As an individual, you can only take the U.S. equivalent of \$50,000 per year out of China. If people want to move money out, they have to find other ways of doing it. The Vancouver model really was a situation in which underground bankers—and it’s a bit complex to answer quickly—facilitated the movement of money out of China without the money physically moving. It was all done by way of electronic communications. When a person shows up in Vancouver, they would receive a sum, minus a service charge, equivalent to what they had deposited with the underground bankers in China.

That is not to say that the state uses that method. That is what individuals were using, because they wanted to move their money into a safe haven, i.e., Canada, or they wanted to use it for casino gambling, for investing or for any number of different reasons. I don’t necessarily know that we know how foreign states move their money, but the one thing I was urging the committee in the previous session I spoke at is that following the money is important. In any process that’s put in place, we have to keep that in mind.

Enforcement agencies that are looking at a registry have to have the necessary expertise and resources to look at what we can call, very broadly, the money laundering aspect. How did the money get there? Most money can be traced back. It’s only cash that’s really difficult. Everything else can be traced in one way or another. You have to use other techniques to follow cash.

I don’t know if that answers the question, in this short period of time.

● (2020)

Mr. Colin Carrie: Maybe we’ll send the book out to everybody who is interested in it.

The book talks about how \$20 bills become \$100 bills funnelled through casinos very systematically. It doesn’t seem that Beijing is really too interested in stopping it, that’s for sure.

I have a question for you. How have Beijing and CCP-affiliated organizations leveraged some of these illegal operations to further the goals of foreign interference in Canada? Can you maybe see a hypothesis of that? Moreover, what solid actions could counter that type of activity? What could we do as a government to counter that?

Dr. Peter German: On consolidating \$20 bills into \$100 bills, there’s a term for that. It’s called “refining”. That’s common in the drug world.

In terms of China, I’ve said before, and I believe it’s in my reports, that China is very tough on drug crimes and organized crime within China. It’s tough on numerous offences, much tougher than we are, but not so in terms of its citizens or persons of Chinese ethnicity outside the country.

We seem to see a lot of organized crime outside China that has connections back to the home country. We see a lot of legitimate in-

vestment outside China that might not be possible within China. It would appear that the Chinese government has not taken exception to what takes place outside its borders. Some might say that’s appropriate. Why should it? You really have a real difference between what takes place within and without.

Mr. Colin Carrie: Thank you.

The Chair: Thank you.

With that, we’ll go to Mrs. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Madam Chair.

I’d like to thank the two witnesses for being with us this evening, and also to thank them both for their service to Canada in the various capacities they have both held over the years.

In my first line of questioning, I would like to start with Mr. German.

I want to talk to you a little bit about something we’ve been hearing over the course of the last couple of meetings with respect to not having a clear understanding by politicians of what intelligence is and, from the point of view of intelligence experts, what politics is like.

When I look through the order in council dated April 28, 2017, there were changes made to the national security adviser title, then held by Daniel Jean, to include “intelligence”. The reason I’m bringing this up is that, in the federal election of 2015, we saw a change in posture with respect to understanding the importance of cybersecurity and the importance of intelligence, and what we were hearing from our partners in the Five Eyes.

I wanted to get a sense from you.... In the special rapporteur report, the Right Honourable David Johnston mentions the need to improve the way information is shared between our security agencies and the government. Would you elaborate a little bit on the importance of the intelligence people understanding what we do for a living, and the importance of us understanding what intelligence community does?

Dr. Peter German: Sorry, are you directing that to me?

Mrs. Sherry Romanado: I am, Mr. German.

Dr. Peter German: Thank you.

Thank you for your kind comment at the beginning of your question.

We’re surrounded by information—every one of us. It’s information overload. Intelligence means something quite different from information. It is something that can be used for a purpose. Often times we refer to “actionable intelligence”.

On the issue of politicians understanding the intelligence community and the intelligence community understanding the politicians, I would expand that to law enforcement understanding politicians.

In my career, although I did work in an intelligence capacity for a while, it was primarily in law enforcement. We had to create those barriers between politics and law enforcement. We had to do our job regardless of whether it ended up favouring one political party or another. I'm thinking here about corruption investigations. I think the police in this country understand that. I don't think that's a big issue. I think politicians, quite frankly, understand that. When there's a law enforcement investigation, we do not see interference by politicians. That's very unusual.

In the other direction, though, I can understand why—and we heard it from the previous speakers, as well as my colleague on the panel right now—it's important that politicians, members of Parliament and so forth, be aware of the intelligence apparatus, of what they can learn from it and of what that intelligence community is intended to do. At the end of the day, the intelligence community is there to serve Canadians. If it's not providing you with the information you need, then I guess we have a problem.

• (2025)

Mrs. Sherry Romanado: In that vein, I used to sit on the national defence committee. I was parliamentary secretary to the Minister of Veterans Affairs and associate minister of national defence. I have a son who's an intelligence officer with the Canadian Armed Forces. I've been to NORAD's Cheyenne Mountain. I have been to NORAD North. I have received various intelligence briefings, and I fully understand the importance of understanding that we're getting little parts of it. We will not get the full picture, especially if we do not have the necessary clearance.

In that regard, you're asking that politicians learn more about, and understand, intelligence. If the offer is there for leaders of political parties to receive the necessary clearance, to receive these intelligence briefings, and to see for themselves the information that the rapporteur was able to glean from his two-month investigation, would you not recommend that all politicians who are offered this kind of briefing avail themselves of it?

Dr. Peter German: That quickly gets you into the issue of NDAs, or non-disclosure agreements. There is a downside to NDAs, which is that you can't talk about what you saw, so provided that you are prepared to recognize that.... I'm not talking about you, personally. I'm talking about a politician who is invited to look at classified information. They have to know that, at the end of the day, if they've signed some sort of NDA, they will not be able to then use that information.

Other than that, yes, if intelligence is going to be of use to you in your work and you're offered the opportunity to access it, one would certainly avail oneself of that intelligence.

The Chair: Thank you so much.

[Translation]

Go ahead, Ms. Normandin.

Ms. Christine Normandin: Thank you very much.

I'd like to go back to you, Ms. McCuaig-Johnston.

You mentioned in your opening statement that, despite your respect for Mr. Johnston, you were nevertheless somewhat disappointed that he hadn't recommended a public inquiry. Then, in your

answers—correct me if I misquote you—you suggest that his analysis of the information he had received and his report led you to believe that he might somehow lack knowledge about China and that he also wasn't an intelligence expert.

In that context, I'd like to hear what you have to say about the next steps. Since Mr. Johnston will continue holding the reins on this issue and will conduct public hearings, do you consider him an appropriate person to occupy that position, compared to someone who has received the approval of all parliamentarians in the House, for example, and who might have different competencies?

[English]

Ms. Margaret McCuaig-Johnston: Let me give you an example of what I'm talking about. The Johnston report said that he does not lack confidence in the last two elections, but surely if even one riding was adversely affected by Chinese interference, that is a reflection of the Canadian electoral system and it should never, ever happen again.

From what many of us have seen, it appears that Kenny Chiu's riding was affected in that way. He lost by 3,500 votes and there was a disinformation campaign against him. In the Johnston report, that's called "misinformation", and there's a big difference. It wasn't errors. It was, frankly, lies that were told about the intention of the registry that he had proposed, including that all Chinese Canadians would be made to register and that from there, the government could circumscribe their activities. That is not at all what a registry would do.

If he lost 3,500 votes because of that—and I think that's very possible—it is undermining our entire electoral system, and, frankly, it tells the Chinese they can do it again, because they've just been given a pass.

• (2030)

The Chair: Thank you.

Go ahead, Ms. Blaney.

Ms. Rachel Blaney: Thank you so much, Madam Chair.

I'm going to ask Mr. German a question. He spoke a lot about money laundering and moving money, and that is a particularly interesting aspect of this whole discussion. I understand that one of the challenges we have been hearing about repeatedly is that we may not have the appropriate legislation to address some of these key issues.

I am just wondering, in terms of following the money trail, do we have appropriate legislation federally? Is there any need to expand that legislation, and if so, what would you recommend that look like?

Dr. Peter German: Thank you for the question.

There are a lot of things we can do in terms of our money-laundering legislation. It's a big question. Budget 2023 did deal with some issues. The Province of British Columbia has been dealing with issues. Yes, we could talk about potential changes to legislation, enforcement agencies and any number of things, but to be pertinent to this committee, on May 11, I spoke about the ability of the commissioner of elections to investigate cases of electoral interference. There is an investigative unit at the office of the election commissioner, but that office, I suggest, doesn't have the necessary tools to carry out a money-laundering investigation.

For example, to my understanding, they do not receive intelligence from FINTRAC, which is Canada's financial intelligence agency, due to various restrictions. I don't believe they could obtain a wiretap for electronic eavesdropping. Canada Elections Act offences are not, to my knowledge, listed as designated offences, under part VI of our Criminal Code, that give rise to a wiretap.

There are these types of issues. I would not only recommend that this unit within the office of the commissioner of elections be expanded, because it's a good unit with good people in there, but they also need the tools and the resources.

Thank you.

[Translation]

The Chair: Mr. Berthold has time to ask a quick question, and he will be followed by Mr. Turnbull.

[English]

Then we'll end our time together.

Mr. Berthold, go ahead.

[Translation]

Mr. Luc Berthold: Thank you very much, Madam Chair.

Ms. McCuaig-Johnston, the testimony you've given this evening is quite informative.

It appears that the government is currently in reaction mode. It was informed of the Beijing regime's manoeuvres three years ago and has known for two years that an MP was being targeted by the Beijing regime as a result of a vote in the House of Commons.

Do you think that, as a result of the government's slow reaction, the Beijing regime's actions have achieved their intended effect on the diaspora and that people are now afraid to speak out because their government isn't defending them?

• (2035)

[English]

Ms. Margaret McCuaig-Johnston: I think that could be one effect. It's really, in my view, unconscionable that another government could be threatening a member of Parliament and his family. That this has happened is a huge surprise to most of us. Without much broader action on China's general interference in our society, we can find more things like this happening again. They may stop that particular case, but there will be other things they do. For example, WeChat, as Mr. Johnston points out, is controlled in the PRC, so really there's nothing we can do about it.

Many other countries are watching what we do in this committee and the Johnston hearings and what Canada does about this very serious foreign interference. One thing we may want to do is look at WeChat and suggest that, working together, we could each, in our own country...have Canadian data kept on Canadian servers of WeChat rather than have Canadian data kept in the PRC. That's something that's tangible. It's something that a public inquiry could look into, and it could discuss with legislators the ways in which this would be done and how it would be drafted. I don't think high-level public hearings are going to get at opportunities like that.

The Chair: Thank you so much.

The same amount of time will go to Mr. Turnbull.

The floor is yours.

Mr. Ryan Turnbull: Thanks, Madam Chair.

Ms. McCuaig-Johnston, I have to admit that I'm a little bit concerned about a comment you made in relation to misinformation having potentially swayed as many as 3,500 votes in the last election. I don't think that you'd necessarily be in a position to really verify that it had any impact on voting behaviour in the last election.

We all recognize that China...even though it's difficult at times to establish where disinformation and misinformation campaigns originate. I think that is a very commonly cited concern or challenge that security and intelligence individuals identify. They say it's very tough for them to trace back to a source where these are originating from.

What's interesting is that there's been some really detailed research done by the media observatory, which I've reviewed. They've done a project on misinformation and disinformation. These are the top experts across Canada who have come together. It's a government-funded initiative, prior to the election. They've analyzed pre- and post-election data and done surveys. It's a very detailed data analysis of information that was circulating in the last election, specifically with regard to Kenny Chiu's riding, for example. I have the report here in front of me. I won't quote it, because I think I'm limited for time. They said that there has been no impact on voter intentions in comparing pre- and post-election data.

It just strikes me as really hard to accept your testimony today. You've indicated that swaying 3,500 votes was very possible. It's not remotely possible, based on the evidence and data that's been cited by experts, who I think are far more qualified, to be honest, than yourself. I don't mean to offend, but I had to say that. Thank you.

Thank you, Madam Chair. It's just a comment.

The Chair: I appreciate that, because we've already asked for extra time from Mr. German and Ms. McCuaig-Johnston.

We thank you for your time and attention today. On behalf of PROC committee members, we want to thank you for making yourselves available. Should there be anything else that you would like to add, please do not hesitate to send it to the clerk. We will have it translated in both official languages and circulated.

For committee members, we will meet again on Thursday with another exciting panel. Tomorrow, I will be presenting reports to

the House of Commons, including an extension for the Ontario redistribution, which we'll have a conversation about because we do need to concur in it.

With that, we wish everyone a good evening and look forward to seeing you again soon. Keep well and safe. Thank you.

The meeting is adjourned.

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